BILL NO. Z-77-08- 14

ZONING MAP ORDINANCE NO. Z-26-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C10 & D10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C10 and D10, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

PARCEL I

Tract 3A, the East 250' of the North 84' of the South 1185.8' in the Southeast 1/4 of the Southeast 1/4, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84' on the West side of Anthony Boulevard by a depth of 325' and more commonly known as 5410 S. Anthony Blvd., Ft. Wayne, IN.

PARCEL II

Tract 4A, the East .57 acres of the North 84' of the South 1101.8' in the East 1/2 of the Southeast 1/4, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84' on the west side of Anthony Boulevard by a depth of 300' and more commonly known as 5414 South Anthony Blvd., Ft. Wayne, IN.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock ~~M.~~, E.S.T.

DATE: 8-9-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	1			
BURNS	X				
HINGA	X				
HUNTER	X				
MOSES	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
STIER		X			
TALARICO	X				

DATE: 10-11-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. S-26-77 on the 11th day of October, 1977

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock _____ M., E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
3rd day of October, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-77-08-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. C10 & D10

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

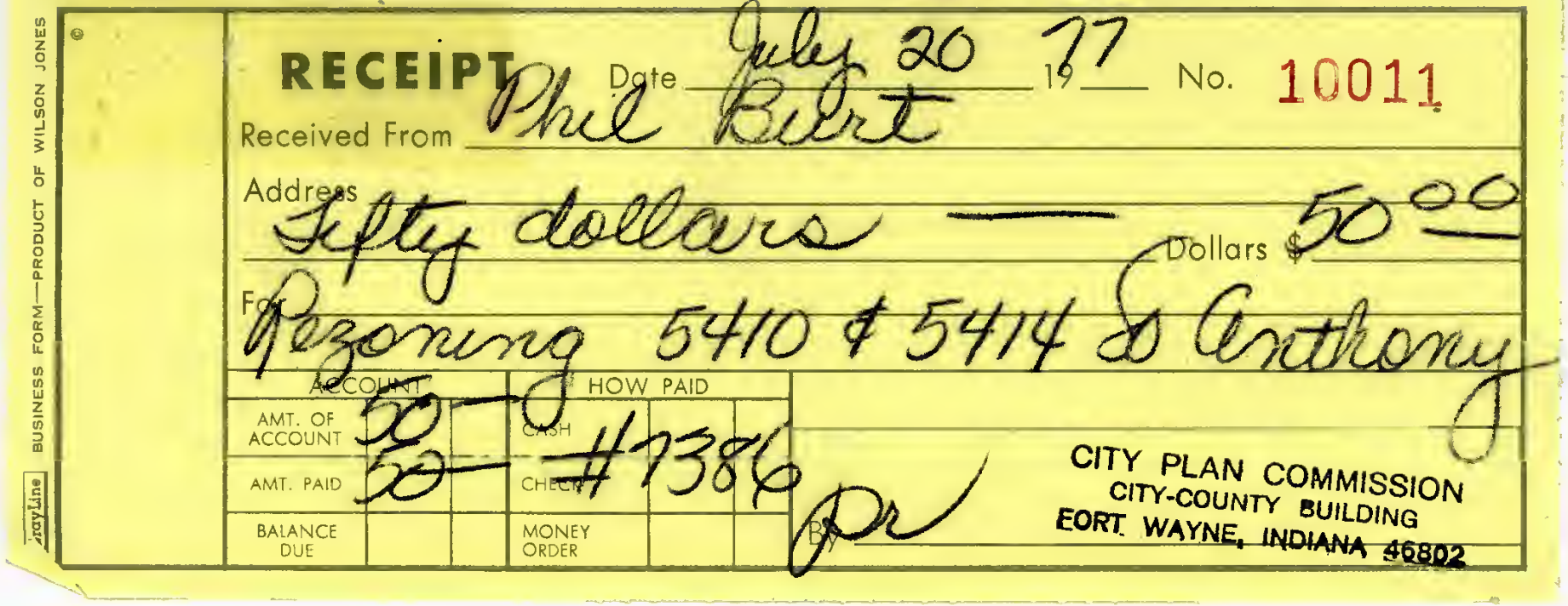
WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

DATE 10-11-77 CONCURRED IN

CITY CLERK



RECEIPT

Date July 20 19 77 No. 10011

Received From Phil Bilt

Address

Fifty dollars — Dollars $ 50 00

For Rezoning 5410 & 5414 S Anthony

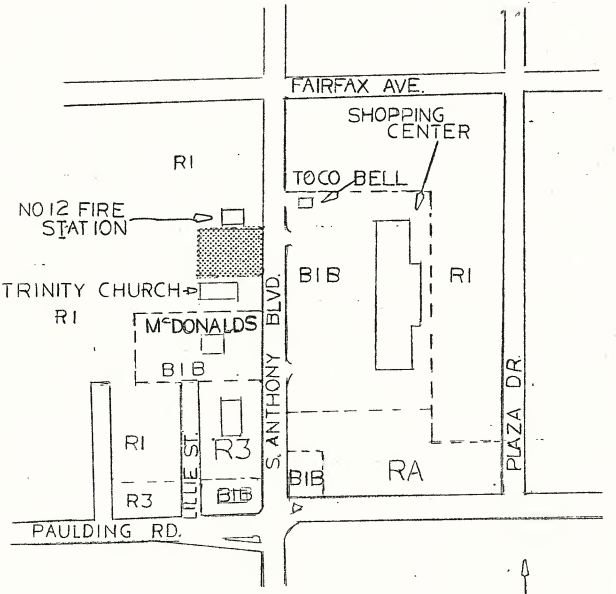
ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	—	CASH		
AMT. PAID	50	—	CHECK	#7386	
BALANCE DUE			MONEY ORDER		

By pr

CITY PLAN COMMISSION
CITY-COUNTY BUILDING
FORT WAYNE, INDIANA 46802

BUSINESS FORM—PRODUCT OF WILSON JONES

Wayline



REZONE FROM R1 TO BIB

MAP NO C10-D10

BY MFC

8-16-77.

Z-77-08-14

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use Car Wash & Gas Pumps

I/We , James and Betty Howenstine, and Lester P. Branning
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 district to a/an B-1-B district the property described as follows:

PARCEL I

Tract 3A, the East 250' of the North 84' of the South 1185.8' in the Southeast ¼ of the Southeast ¼, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84' on the West side of Anthony Boulevard by a depth of 325' and more commonly known as 5410 S. Anthony Blvd., Ft. Wayne, IN.

PARCEL II

Tract 4A, the East .57 acres of the North 84' of the South 1101.8' in the East ½ of the Southeast ¼, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84' on the west side of Anthony Boulevard by a depth of 300' and more commonly known as 5414 South Anthony Blvd., Ft. Wayne, IN.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
James Howenstine	1325 Lincoln Bank Tower Ft. Wayne, IN.	Signed by J. Philip Burt, Attorney, for potential buyers from these owners.
Betty Howenstine	1325 Lincoln Bank Tower Ft. Wayne, IN	
Lester P. Branning	1325 Lincoln BAnk Tower Ft. Wayne, IN	J. Philip Burt

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
J. Philip Burt	1325 Lincoln Bank Tower, Ft. Wayne	732-4762

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

RW Number assigned by Bill Salin's office # 3751 Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance Z-77-08-14

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property: Two parcels of property commonly known as 5410 South Anthony Blvd., and 5414 South Anthony Blvd. From "R1" to "B1B"

EFFECT OF PASSAGE Property is presently zoned "R1" - Single family residential. Petitioners are requesting a "B1B" District - Limited Business.

EFFECT OF NON-PASSAGE Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 14, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 18 and October 25, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. Z-77-05-10
Zoning Map Ord. Z-24-77

Bill No. Z-77-08-13
Zoning Map Ord. Z-25-77

Bill No. Z-77-08-14
Zoning Map Ord. Z-26-77

Bill No. Z-77-08-16 (without attached covenants)
Zoning Map Ord. Z-27-77

Bill No. Z-77-08-17
Zoning Map Ord. Z-28-77

Bill No. Z-77-08-33
Zoning Map Ord. Z-29-77

Bill No. G-77-09-08
General Ord. G-38-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL; 7

AN EQUAL OPPORTUNITY EMPLOYER

© F.W.B.C. 1974

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	3
Body	number of lines	94
Tail	number of lines	2
	Total number of lines in notice	99

COMPUTATION OF CHARGES

99 lines, 1 columns wide equals 99 equivalent lines at .259¢ cents per line $ 25.64

tional charge for notices containing rule or tabular work (50 per cent of above unt)

rge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 27.14

BILL NO. Z-77-08-14
ZONING MAP ORDINANCE NO. Z-36-77

Notice is hereby given that on the 11th day of October, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-77-08-14 Z-26-77 Zoning Map Ordinance, to-wit:

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C10 & D10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. C10 and D10, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

PARCEL I

Tract 3A, the East 250 ft. of the North 84 ft. of the South 1185.8 ft. in the Southeast ¼ of the Southeast ¼, Section 24, Township 30 North, Range 12 East, Allen County IN, fronting 84 ft. on the West side of Anthony Boulevard by a depth of 325 ft and more commonly known as 5410 S. Anthony Blvd., Ft. Wayne, IN.

PARCEL II

Tract 4A, the East .57 acres of the North 84 ft. of the South 1101.8 ft. in the East ½ of the Southeast ¼, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84 ft. on the west side of Anthony Boulevard by a depth of 300 ft. and more commonly known as 5414 South Anthony Blvd., Ft. Wayne, IN.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof. Read the third time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote: -

Ayes: Eight

Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico.

Nays: One - Stier

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. Z-36-77 on the 11th day of October, 1977

ATTEST: (SEAL)
Charles W. Westerman — John Nuckols
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-36-77 passed by the Common Council on the 11th day of October, 1977 and now remains on file and on record in my record in my office. WITNESS my hand, and the official seal of the city of Fort Wayne, Indiana, this 13th day of October, 1977.

Charles W. Westerman
City Clerk

10—18-25

PUTING COST

9.9
th of single column 12 ems — Size of type 5½ point

ber of insertions 2 — Size of quad upon which type is cast 5½

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

V. E. Gerken

25, 19 77 — Title CLERK

TACH COPY OF RTISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

10/18-25/77

V. E. Gerken

Subscribed and sworn to before me this 25th day of October 19 77

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Total number of lines in notice		99

COMPUTATION OF CHARGES

99 lines, 1 columns wide equals 99 equivalent lines at .259¢ cents per line	$ 25.64
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 27.14

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date October 25, 19 77

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

10/18-25/77

ATTACH COPY OF ADVERTISEMENT HERE

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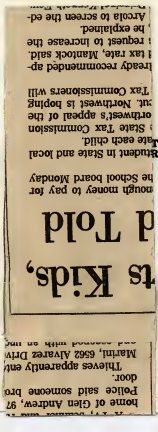

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit) To JOURNAL-GAZETTE Dr.

Allen County, Ind. FORT WAYNE, INDIANA

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TOTAL AMOUNT OF CLAIM — $ 27.14

PUTING COST

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provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

Priscilla DeWald

Title CLERK

25, 19 77

BILL NO. Z-77-08-14
ZONING MAP-ORDINANCE NO.Z-26-77

Notice is hereby given that on the 11th day of October, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-77-08-14 Z-26-77 Zoning Map Ordinance, to-wit:

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C10 & D10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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PARCEL II

Tract 4A, the East .57 acres of the North 84 ft. of the South 1301.8 ft. in the East ½ of the Southeast ¼, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84 ft. on the west side of Anthony Boulevard by a depth of 300 ft. and more commonly known as 5414 South Anthony Blvd., Ft. Wayne, IN.

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Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico.
Nays: One - Stier
Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. Z-26-77 on the 11th day of October, 1977.

ATTEST: (SEAL)
Charles W. Westerman — John Nuckols
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. A-26-77 passed by the Common Council on the 11th day of October, 1977 and now remains on file and on record in my record in my office. WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 13th day of October, 1977.

Charles W. Westerman
City Clerk

10—18-25

ATTACH COPY OF ADVERTISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

10/18-25/77

Arvilla DeWald

Subscribed and sworn to before me this 25th day of October, 19 77

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM	$ 27.14

DATA FOR COMPUTING COST

Width of single column IX ems 9.9

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date October 25, 19 77 Title CLERK

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State of Indiana, ALLEN County } ss:

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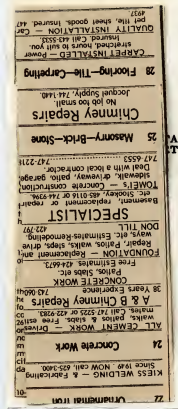
ATTACH COPY OF ADVERTISEMENT HERE